

**UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA**

MAURICE HARPER,

Plaintiff

v.

DEPARTMENT OF CORRECTIONS,
et al.,

Defendants

: CIVIL ACTION NO. 3:CV-16-2366

:

: (Judge Nealon)

:

:

:

:

:

:

:

:

ORDER

AND NOW, THIS 1st DAY OF FEBRUARY 2018, for the reasons set forth in the accompanying Memorandum, **IT IS HEREBY ORDERED THAT:**

1. Defendants' motion to dismiss (Doc. 20) is **GRANTED**.
2. Plaintiff's complaint is **DISMISSED** without prejudice for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii).
3. Plaintiff's motion to amend his complaint to add additional challenges to his sentence (Doc. 22) is **DENIED** as moot.
3. The Clerk of Court is directed to **CLOSE** this case.
4. Any appeal from this order will be deemed frivolous, not taken in good faith and lacking probable cause.

/s/ William J. Nealon
United States District Judge